

109TH CONGRESS
2^D SESSION

H. CON. RES. 437

Expressing the sense of Congress that United States officials who leak sensitive classified national security secrets should be vigorously investigated and, if need be, brought to justice.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2006

Ms. HARRIS submitted the following concurrent resolution; which was referred to the Committee on the Judiciary

CONCURRENT RESOLUTION

Expressing the sense of Congress that United States officials who leak sensitive classified national security secrets should be vigorously investigated and, if need be, brought to justice.

Whereas the United States is currently engaged in a world-wide war on terror against Islamofascism;

Whereas the United States is fighting an enemy who is patient and will stop at nothing to kill Americans at home and abroad;

Whereas the United States is engaging the enemy through both overt and covert operations;

Whereas the covert operations conducted by the United States occur in the shadows where the enemy resides and

are vital for the success of particular operations and the war on terror in general;

Whereas certain United States officials have engaged in a pattern of leaking sensitive classified national security secrets;

Whereas the unlawful leaking of sensitive classified national security secrets has damaged United States operations during a time of war;

Whereas congressional oversight committees exist to address concerns over certain national security issues;

Whereas the unlawful leaking of sensitive classified national security secrets may arise from benevolent or malevolent motives and may be acted upon through good or ill intentions;

Whereas given the serious damage done to United States operations against Islamofascism, an investigation is warranted to determine which United States officials have leaked sensitive classified national security secrets to third parties and what the intentions of those officials were;

Whereas the multitude of means available to address concerns over operations alleviates any need to unlawfully disclose sensitive classified national security secrets to third parties who need not know such information;

Whereas the recent leaking of sensitive classified national security secrets may cause the current war on terror to last longer than it would have without such leaks;

Whereas members of the media who publish information claim to be acting pursuant to the First Amendment of the Constitution;

Whereas the First Amendment of the Constitution does not mandate that members of the media publish information relating to sensitive classified national security secrets;

Whereas Congress remains committed to defeating the enemies of the Nation using both overt and covert actions; and

Whereas Congress is proud of the troops and remains committed to the cause for which they fight, the advancement of the universal yearning for freedom that exists in the hearts of men: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That it is the sense of Congress that—

3 (1) United States officials who leak sensitive
4 classified national security secrets should be investigated and, if need be, brought to justice;

6 (2) United States officials who are concerned
7 over certain United States covert operations have a
8 multitude of lawful means available to effectively express those concerns, including contacting appropriate congressional oversight committees;

11 (3) United States officials who leak sensitive
12 classified national security secrets and who, after a
13 thorough investigation are determined to maintain
14 malevolent intentions, should be tried for treason;
15 and

16 (4) members of the media have the right to abstain from publishing sensitive classified national se-

1 curity secrets for fear that United States operations
2 may be compromised and Islamofascism may ad-
3 vance.

